

## TRANSLATED VERSION OF THE REMEDIES SECTION IN KILWA DECISION

**The Commission,**

**Based on the above,**

**154.** Holds that the Democratic Republic of Congo violated provisions of articles 1, 4, 5, 6, 7(1) (a), 7(1)(c), 14, 22 and 26 of the Charter and the right to housing. Consequently:

**i.** Requests the Democratic Republic of Congo to take all diligent measures to prosecute and punish State's agents and Anvil Mining Company staff who were involved in the violations.

**ii.** Requests the Democratic Republic of Congo to pay \$ 200,000 of damages to victims X and Y respectively.

**iii.** Requests the Democratic Republic of Congo to pay \$ 300,000 of damages per victim to FARAY MWAYUMA Adèle for the loss of each of her two sons plus \$ 30,000 for her properties which were looted, to MPWETO Malangisha Pélagie for the loss of her brother NYEMBO Lenge, to LLL for the loss of his son, to CCC for the loss of 7 family members plus \$5,000 for his properties looted and to AAA for the loss of her baby who was a few months old and died of drowning.

**iv.** Requests the Democratic Republic of Congo to pay \$ 325,000 of damages to KUNDA KIKUMBI Dickay, son of KUNDA MUSOPELO Pierre, representing KUNDA family.

**v.** Requests the Democratic Republic of Congo, by way of collective reparation, to:

- To formally present and fully publish excuses to the people of Kilwa.

- To promptly carry out an independent investigation to clarify the fate of persons who have disappeared and pay damages to their successors in the right to claim them.

- To identify all victims who are not parties in the Communication and accord them fair and equitable reparation for the prejudices suffered.

- To take measures to have bodies in massive graves in NSENSELE exhumed and to have them buried with dignity.

- To build a memorial in NSENSELE in homage to victims who died and disappeared.

- To renovate socio- economic infrastructures destroyed during the events namely the school, the hospital of Kilwa and inland and in-lake routes whose dilapidated state made the violations easy.

¶ To give an adequate psychosocial assistance to victims and other inhabitants of Kilwa for them to balance out the trauma subsequent to the events.

vi. Requests the Democratic Republic of Congo to ensure that the implementation of the present decision is supervised by a Monitoring Committee which includes the representatives of victims and their successors, and a Member of the African Commission on Human and People's Rights in charge of the country.

vii. Finally requests the Democratic Republic of Congo to report by writing, within one hundred and eighty days (180) of the notification of the present decision of the measures undertaken to implement these recommendations.

**Adopted during the 20<sup>th</sup> Extraordinary Session of the African Commission on Human and People's Rights held from 9- 18 June 2016 in Banjul, The Gambia.**

AACHPR